

## Section 508 Determination and Findings

Department of Veterans Affairs

VA Section 508 Program Office

The initiating technical (requesting) office is responsible for preparing this form. All business needs must be described in accordance with the Federal Acquisition Regulation (FAR), Part 11. Requesting officials must perform market research as described in FAR Part 10. If during market research, it is determined that any portion of the requirement meets the definition of electronic and information technology (EIT), the program official must complete this form to record their findings. If an exemption applies, identify which exemption applies by checking it off and answering the appropriate questions. The requisitioner and approving official are responsible for determining if a vendor's product complies with the Section 508 standards. Please forward your market research along with document to your servicing procurement office and a copy to the VA Section 508 Coordinator, Pat Sheehan, Section 508 Program Office (005E) Room C10A VACO, Email: [Section508@va.gov](mailto:Section508@va.gov) or Fax: 202-273-5455. For further information visit: [www.va.gov/accessible](http://www.va.gov/accessible) or for tools to help you in your research you can visit GSA's Buy Accessible Wizard at: <http://app.buyaccessible.gov/baw/>

**Definition of E&IT:** Electronic and information technology. Includes information technology and any equipment or interconnected system or subsystem of equipment, which is used in the creation, conversion, or duplication of data or information. The term electronic and information technology includes, but is not limited to, telecommunications products (such as telephones), information kiosks and transaction machines, World Wide Web sites, multimedia, and office equipment such as copiers and fax machines. The term does not include any equipment that contains embedded information technology that is used as an integral part of the product, but the principal function of which is not the acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information. For example, HVAC (heating, ventilation, and air conditioning) equipment such as thermostats or temperature control devices, and medical equipment where information technology is integral to its operation, are not information technology.

<b>1 - Requisition Number</b>	
<b>2 - Estimated Dollar Value</b>	
<b>3 - Requiring Office Representative Name</b>	

4 - Requiring Office Representative Name	
5 - Requiring Office Representative Title	
6 - Requiring Office Representative Phone Number	
7 - Requiring Office Representative Email	

8 - Determination (Select One)	
(a) <input type="checkbox"/>	<b>Fully Supports the Standard</b> (Must complete Section 9)
(b) <input type="checkbox"/>	<b>Commercial Non-Availability:</b> At the time of procurement, there are instances when a product that meets all the function specifications does not have features to meet all the appropriate Section 508 standards. In certain situations, at the time of procurement, the features to meet those standards are considered commercially non-available and are exempt. For more information, please contact the Section 508 Program Office's Coordinator. (Must complete Section 9) (Must complete the Section 508 EIT Exceptions Certification Document)
(c) <input type="checkbox"/>	<b>Back Office Products:</b> applies to hardware and software located in areas frequented only by service personnel for maintenance, repair and occasional monitoring of equipment. For a listing of items, please contact the Section 508 Program Office's Coordinator. (Must complete the Section 508 EIT Exceptions Certification Document)

(d) <input type="checkbox"/>	<b>Fundamental Alteration:</b> The law does not require a "fundamental alteration in the nature of a product, its service or its components. In other words, some products are designed for a specific use and the only way to make them compliant would be to alter the product to a degree that it would no longer be able to provide that use. For a listing of items, please contact the Section 508 Program Office's Coordinator. (Must complete the Section 508 EIT Exceptions Certification Document)
(e) <input type="checkbox"/>	<b>Undue Burden:</b> Since the Federal Government is considered a model employer, this exemption is not considered viable. The term applies to a situation where there is a product to meet Section 508 compliance, but its cost is prohibitive. The Requiring Official must explain below why, and to what extent, compliance with each such provision creates an undue burden. A thorough, rational explanation is required. Explanations must be adequate to survive protests and litigation challenges. For more information, please contact the Section 508 Program Office's Coordinator. (Must complete Section 9) (Must complete the Section 508 EIT Exceptions Certification Document)
(f) <input type="checkbox"/>	<b>36 CFR § 1194.3 General Exceptions. § 1194.3 (a)</b> The electronic and information technology operated by agency, the function, operation, or use of which involves intelligence activities, cryptologic activities and is directly related to national security, command and control of military forces, equipment that is an integral part of a weapon or weapons systems, or systems which are critical to the direct fulfillment of military or intelligence missions. (excluding payroll, finance, logistics and personnel management applications) - If applicable, please contact the Section 508 Coordinator at Section508@va.gov or 202-273-6543 to ensure exception. (Must complete the Section 508 EIT Exceptions Certification Document)
(g) <input type="checkbox"/>	<b>36 CFR § 1194.3 General Exceptions. § 1194.3(b)</b> The electronic and information technology acquired by a contractor is incidental to a contract. (e.g. is not part of the deliverables of the contract) - If applicable, please contact the Section 508 Coordinator at Section508@va.gov or 202-273-6543 to ensure exception. (Must complete the Section 508 EIT Exceptions Certification Document)

(h) <input type="checkbox"/>	<b>36 CFR § 1194.3 General Exceptions. § 1194.3(c)</b> The installation of specific accessibility-related software or the attachment of an assistive technology device is not required at a workstation of a Federal employee who is not an individual with a disability. (e.g. not every computer will be equipped with a refreshable Braille display) - If applicable, please contact the Section 508 Coordinator at Section508@va.gov or 202-273-6543 to ensure exception.(Must complete the Section 508 EIT Exceptions Certification Document)
(i) <input type="checkbox"/>	<b>36 CFR § 1194.3 General Exceptions. § 1194.3(d)</b> When agencies provide access to the public to information or data through electronic and information technology, agencies are not required to make products owned by the agency available for access and use by individuals with disabilities at a location other than that where the electronic and information technology is provided to the public, or to purchase products for access and use by individuals with disabilities at a location other than that where the electronic and information technology is provided to the public. - If applicable, please contact the Section 508 Coordinator at Section508@va.gov or 202-273-6543 to ensure exception. (Must complete the Section 508 EIT Exceptions Certification Document)

9 - Applicable Technical Standard(s) that apply *(Required only if you check either 8a,8b, or 8e)	
1194.21 (a-l) <input type="checkbox"/>	Software Application and Operating Systems
1194.22 (a-p) <input type="checkbox"/>	Web-based Intranet and Internet Information and Applications
1194.23 (a-k) <input type="checkbox"/>	Telecommunications Products
1194.24 (a-e) <input type="checkbox"/>	Video and Multimedia Products
1194.25 (a-j) <input type="checkbox"/>	Self Contained, Closed Products (Examples include information kiosks, information transaction machines, copiers, printers, calculators, fax machines, and similar types of products.)
1194.26 (a-d) <input type="checkbox"/>	Desktop and Portable Computers
1194.2 (a-c) <input type="checkbox"/>	General Application Exceptions

<b>1194.31 (a-f)</b> <input type="checkbox"/>	Functional Performance Criteria (always applies) (Example: one provision requires that at least one mode allow operation by people with low vision (visual acuity between 20/70 and 20/200) without relying on audio input since many people with low vision may also have a hearing loss.)
<b>1194.41 (a-c)</b> <input type="checkbox"/>	Information, Documentation and Support (The standards also address access to all information, documentation, and support provided to end users (e.g., Federal employees) of covered technologies. This includes user guides, installation guides for end-user installable devices, and customer support and technical support communications. Such information must be available in alternate formats upon request at no additional charge. Alternate formats or methods of communication, can include Braille, cassette recordings, large print, electronic text, Internet postings, TTY access, and captioning and audio description for video materials.)
List the Standard number <b>and</b> the individual Functional Criteria letters that pertain to the requirement below or as an attachment. If none apply, state that there are no standards that apply. (example: 1194.21a, b &c; 1194.22 a-d)	

#### 10 - Required documentation which must be submitted

1- For Every requisition: Provide a brief description of the product being purchased and whether it is COTS, Development, or a Combination.

2- For every requisition: Requiring Office must document and submit a copy of its market research (per in FAR part 10) discussion of the business need, the products you found, the products' level of conformance with the standard, and how you determined that you selected the most compliant product (recommended: (VPAT) Voluntary Product Accessibility Template from the vendor) If needed a VPAT can be found on the Section 508 Website: [www.va.gov/accessible](http://www.va.gov/accessible)

3- For EIT, covered under Section 508 subpart B, that is developed or is a combination of (COTS) Commercial Off-the-Shelf Products, you must attach the Section 508 Conformance Validation Statement (CVS) that is to be filled out by the Requiring Official and Validated by the Section 508 Coordinator prior to the purchase of the product and/or service.

**Based on your selection in 8, provide the following:**

4- (8b) You must complete and attach the form entitled "EIT Exceptions Certification."

5- (8c) (8d) (8f) (8g) (8h) & (8i) You must complete and attach the form entitled "EIT Exceptions Certificate." Also please provide a brief explanation of how this determination was made.

6- (8e) You must complete and attach the form entitled "EIT Exceptions Certification."

Name of Requiring Office Representative: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

I am certifying that, per 1194.2, the product being purchased is the most compliant product currently available that meets our business needs in the time to satisfy delivery requirements and that I have provided accurate documentation to support the Contracting Officer's purchase of Electronic Information Technology. Only the VA Section 508 Coordinator can authorize an exemption or waiver if applicable.

\*Dated 6/07 (all other versions of this form are obsolete)